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STATE OF CALIFORNIA  
Edmund G. Brown, Jr., Governor

## E-1 Minutes

5469 E. Olive Avenue  
Fresno, California 93727  
Telephone (559) 253-7324  
Fax (559) 456-3194  
[www.sjrc.ca.gov](http://www.sjrc.ca.gov)

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Bryn Forhan  
Paul Gibson  
vacant  
Citizen Representatives

Melinda S. Marks  
Executive Officer

The San Joaquin River Conservancy Governing Board  
**Wednesday, August 9, 2017**

**Meeting Location:**  
Fresno City Hall Council Chambers  
2600 Fresno Street, Fresno CA 93721  
**and via phone conference:**  
California Natural Resources Agency  
1416 Ninth Street, Ste. 1311  
Sacramento, CA 95814

### MEETING AGENDA

#### CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairperson Borgeas called the meeting to order at 10:09 a.m. and led the pledge of allegiance. Mr. Hatler took his oath of office.

#### A. ROLL CALL

Name	Present	Telecon- ference	Absent	Late
<b>Mr. Andreas Borgeas, Chair</b>	X			
<b>Mr. Brett Frazier</b>	X			
<b>Mr. Steve Brandau</b>	X			
<b>Mr. William Oliver</b>	X			
<b>Ms. Barbara Goodwin</b>			X	
<b>Mr. Carl Janzen</b>	X			
<b>Mr. Gerald Hatler</b>	X			
<b>Mr. Kent Gresham</b>	X			
<b>Mr. John Donnelly</b>	X			
<b>Ms. Julie Alvis</b>	X			
<b>Ms. Jennifer Lucchesi</b>	X			
<b>Ms. Karen Finn</b>		X		
<b>Ms. Bryn Forhan</b>	X			
<b>Mr. Paul Gibson</b>	X			

Ms. Raus confirmed that a quorum was present.

Legal Counsel Present: Michael Crow, Deputy Attorney General

Staff present: Melinda Marks, Executive Officer  
Rebecca Raus, Associate Governmental Program Analyst  
Heidi West, Program Manager, San Joaquin River Conservancy  
Projects, Wildlife Conservation Board

**B. PUBLIC COMMENT & BUSINESS FROM THE FLOOR**

The first ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are not on the agenda and are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

None.

**C. ADDITIONS TO THE AGENDA**

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code § 54954.2(b)(2))

None.

**D. POTENTIAL CONFLICTS OF INTEREST**

Any Board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

None.

**E. MINUTES**

None.

**F. CONSENT CALENDAR**

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

None.

**G. DISCUSSION**

- G-1 Authorize the Release of a Partially Revised Draft Environmental Impact Report for the River West Fresno, Eaton Trail Extension Project, for Public Review and Comment

Staff Recommendation: It is recommended the Board authorize the release of a Partially Revised Draft Environmental Impact Report (EIR) for the River West Fresno, Eaton Trail Extension Project, to begin a public and agency review and comment period. The Partially Revised Draft EIR would incorporate a new public access alternative, Alternative 5B, into the Draft EIR.

Ms. Marks summarized the City of Fresno offer to conduct additional studies related to the Draft Environmental Impact Report (DEIR) for the River West Fresno, Eaton Trail Extension Project. The City is preparing analyses to potentially incorporate into the DEIR another possible alternative, Alternative 5B. The possible access alternative would proceed from an entrance at the northern terminus of Palm Avenue, down the bluff, to a parking area and the multi-use trail located on the floodplain. Blair, Church, and Flynn Consulting Engineers prepared the preliminary engineering, which was included in the Board packet. AECOM is preparing the environmental documents, which are not ready for public distribution. The Conservancy, the City, and the consultants are working together to meet the August 15 deadline to release the Partially Revised DEIR. Ms. Marks complimented the City, consultant, and legal team that was cooperatively working to release the Partially Revised DEIR within the Conservancy's time constraints.

Ms. Marks stated that route 5B—now Alternative 5B—was initially studied in a constraints analysis in the DEIR and was determined to have more constraints than the other possible routes. The new design for Alternative 5B lessens some of those constraints. The Alternative 5B entrance and access road would be located on Spano Park, which would avoid the wastes from a past disposal operation. The new design would reconfigure Spano Park, its landscaping and irrigation system. A retaining wall along the road would be constructed on the steep slope. The designs would avoid impacts to the Fresno Metropolitan Flood Control District (FMFCD) basin, but would encroach onto the District's property and would require negotiating a land purchase or easement. The proposed parking area is located on privately owned land affected by past disposal of construction and demolition wastes. She noted that the schematic design does not include any specific measures or construction methods to remediate those wastes. The DEIR would note that future subsurface investigation would be required, and changes in use would be subject to regulatory agencies' approval. The private property would need to be acquired for public use from the willing seller on mutually agreeable terms.

Ms. Marks stated under the California Environmental Quality Act (CEQA) an Environmental Impact Report (EIR) must describe a range of reasonable alternatives to a project that may feasibly attain most of the project objectives, and Alternative 5B would do that. The alternatives analysis is intended to identify alternatives that would avoid or substantially lessen any significant effects of the proposed Project, or provide greater benefits. CEQA defines feasible as being capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. As presented in the schematic report, Alternative 5B is potentially feasible, enough so that staff is recommending the Board to include it in the EIR.

Ms. Marks reported that the Conservancy, the City and the consultants are currently working on the environmental impact analysis for Alternative 5B. The possible environmental impacts specific to Alternative 5B would include the following: removal of several mature western sycamore trees; reduce the size of Spano Park; construction and demolition wastes require subsurface assessment; the vault toilet restroom must be elevated above 100-year floodplain using fill, and the fill would need to be excavated from the floodplain to avoid displacing flood waters; roadway improvements on the bluff slope are not consistent with City of Fresno's Bluff Preservation Overlay District; and it may be possible to mitigate these impacts to Less Than Significant. The Partially Revised DEIR would include other refinements, amplifications, and clarifications related to analyses in the circulated DEIR. All additions and changes would be clearly identified. Upon approval to release the Partially Revised DEIR, the public and reviewers would have 45 days to provide comments on the revised portions.

Ms. Marks continued, the Alternative 5B design avoids one private parcel affected by landfill wastes, it does accommodate emergency and public vehicles, and it protects the function of the FMFCD stormwater system. Based on the new information, Alternative 5B is sufficiently feasible to merit evaluation in a Partially Revised DEIR. It provides opportunity for public comment on environmental impacts of Alternative 5B. This alternative is relatively costly, but all of the feasibility and non-environmental issues are actually part of what the Board would consider later once the Final EIR is completed. The recommendation is for the Board to authorize the release of a Partially Revised DEIR for the River West Fresno, Eaton Trail Extension Project, to begin a public and agency review and comment period.

Mr. Scott Mozier, City of Fresno Director of Public Works, commended Ms. Marks for her work on Alternative 5B. He noted that the Conservancy has been working closely with AECOM on this Partially Revised DEIR. He stated that the Partially Revised DEIR is in the administrative draft stage and is in the process of being reviewed by legal counsel prior to its release for public review. The City concurred with the staff's recommendation, and asked the Board to authorize the release of a Partially Revised DEIR. Following the Board's action in May 2017, the City Council approved a contract with AECOM to perform the CEQA analyses of the possible added alternative. The Council also approved a Memorandum of Understanding with the Conservancy, stating that the City is funding the work, but the Conservancy maintains its Lead Agency status and the right and obligation to exercise independent judgement over the content and possible public release of the partially revised Draft EIR.

Mr. Mozier stated that the City of Fresno met with the FMFCD to discuss the proposed alignment of the access road and improvements and to see if FMFCD had any concerns with the project. The FMFCD expressed concern regarding the capacity of their basin, and the engineers confirmed the project would not affect the capacity. The FMFCD's dissipation structure has 20 feet reserved for a trail to cross it, but it would need to be a little wider. Blair, Church and Flynn addressed that as well. With respect to Spano Park, there is a very small amount of green space that would be lost, but the City's perspective is that is a tiny amount compared to what the community would gain with the entire development of River West. The City of Fresno would support Alternative 5B going through that section of Spano Park. Regarding mitigation within the floodplains and grading, in the DEIR there was similar language for Alternative 1 with respect to the parking lot, restroom, and etc. in the floodplain. These modifications are doable. He assured the Board that the City's administration and staff would support the minor modifications to the Bluff Protection Ordinance. He noted that Alternative 5B is consistent with the City of Fresno's adopted 2035 General Plan. The City believes Alternative 5B is a very feasible, but Alternative 1 is not consistent with the General Plan with regard to vehicle access.

Mr. Mozier stated that Alternative 5B has a 30% engineering design. It is the only alternative that has gone through that level of engineering analysis, including a geotechnical report. Since the engineering is more extensive, and takes into account the base rock required for the road, at this point it is estimated to be more expensive; but with additional detailed engineering, it is likely the other alternatives will be found to be more expensive as well, because the soil conditions had not been taken into account for the previous estimates. The City of Fresno's recommendation is consistent with the Conservancy's staff recommendation.

Mr. Bruce Rudd, Interim Assistant City Manager, Parks Director, and Director of Transportation, emphasized that Alternative 5B is viable and is consistent with the City's General Plan. The City believes that this options provides the greatest level of access to what would be a regional asset. There would be no need to improve the intersection at Palm and Nees; that traffic corridor is sufficient to handle the increase in traffic volume. More importantly, Alternative 5B would be

accessible through public transportation. He noted that one of the challenges the City had when Woodward Park opened was that there were no bus services to the park. Even to this day the City has parks that are located throughout the community that do not have public transportation access. Access will not be just by car; it will also be by public transportation. For those reasons, the City is requesting the Board to release the revised DEIR.

Mr. Borgeas congratulated Ms. Marks, staff, legal counsel, and the City and consultant team. When the Conservancy and the City agreed to study this, it was under tight timelines and everyone did a superb job. He thanked everyone for their efforts. He stated that there were strong commitments by Blair, Church and Flynn and the City at the last Conservancy meeting, and he thanked the City and consultants for honoring those representations.

Mr. Borgeas questioned Mr. Rudd about the comparability of the various cost estimates among the alternatives: Alternative 5 at \$3 million, and Alternative 5B at \$5 million. Mr. Rudd stated that as Mr. Mozier pointed out, the only detailed engineer estimate and geotechnical analysis was conducted on Alternative 5B. There has not been work to that extent on the other alternatives, and there has not been a similar engineering design for Alternative 5. Mr. Rudd said the \$3 million estimate for Alternative 5 was a guess, without foundation, whereas Alternative 5B has been studied at a 30 percent engineering design, with a reliable \$5 million price tag; therefore, to conclude that Alternative 5 is cheaper is disingenuous.

Mr. Borgeas stated that the Board has a strong recommendation from Ms. Marks that we move forward with releasing the Partially Revised DEIR. We have a report that indicates the feasibility of Alternative 5B, and a financial investment by the City of Fresno. We will also have a financial investment from the County of Fresno.

#### Board Comments:

Mr. Gibson thanked everyone for their work on this project. He expressed concern regarding the connection to the trail system from Alternative 5. With the high water levels this year, the connection had some erosion. He requested an update regarding the condition down there.

Mr. Richard Sloan, RiverTree Volunteers, stated that the riverbank at the location was being undermined, and pictures are posted on their Facebook page.

Ms. Marks explained that is the reason why the Alternative 5 parking area was located on the gravel haul road, and only included a trail along the riverbank. At one point the proposal was to have a public access road extending along the Palm and Nees private access road to the same parking area as Alternative 5B. There really isn't room because the river is right up against a very steep bank which is undermined occasionally. It is not considered to be a viable vehicle access road, but possibly a trail connection in the future.

Mr. Gibson wondered if the Alternative 5 location has incurred some damage that may speak to our ability to proceed to consider it.

Ms. Forhan expressed concern regarding the timeline for the Revised DEIR. She asked if everything is in order for an August 15 release? This timeline has no room for slippage. She appreciated all of the collaborate work, but can staff confirm that the DEIR will be released on Tuesday, August 15 if approved by the Board?

Ms. Marks reported that there is adequate time to finalize the Partially Revised DEIR, but if the release slips by a day or two, there would be less time for staff and consultants to complete the response to comments. From this point on, everyone will do whatever it takes to make everything happen.

Mr. Frazier thanked the City of Fresno for stepping up and funding the study of Alternative 5B. The goal is to gain public access to the river and having an extra access point is a good thing. Alternative 5B may be the worst or the best alternative, but we will figure that out through the public process and allowing everyone to comment on what they think is important environmentally, economically, and how to make this the best project it can be. The Conservancy might end up with a better project with more options. He appreciated the City stepping up into the leadership role; the City came under a lot of intense scrutiny over it because many thought it was a stall tactic. In his opinion there are a lot less expensive ways to stall something other than putting money toward additional work.

Mr. Frazier added that we need to make sure everything is properly documented. With the tight timeline, he wants to make sure staff doesn't feel like we moved the revised DEIR along too quickly.

Ms. Marks responded that she feels the revised DEIR will be a stronger document. As a result of it becoming a critical issue with tight timelines, the Conservancy received more support and assistance from legal counsel experienced in the CEQA process. We have more support in finding any potential pitfalls and making sure we are addressing them. It is going to be a better document than the one the Conservancy released in February.

Mr. Frazier stated his satisfaction, that through partnerships, public input, and professional CEQA assistance we will have a stronger document than we did before.

Mr. Oliver had a question regarding the timeframe. He mentioned that in the staff report it states that the final draft is not ready for public release. What outstanding items need to be completed before the DEIR is circulated?

Ms. Marks reported that the Conservancy has received a complete administrative draft; staff and legal counsel have reviewed the document, and AECOM has received almost all of the edits. We are very close to it being completed.

Mr. Oliver asked whether it was premature for the Board to vote on releasing the revised DEIR without having reviewed the final document.

Ms. Marks responded that for most agencies that she is aware of, staff do not submit the administrative DEIRs for board or counsel approval prior to public release. Staff will complete the Partially Revised DEIR within a matter of days and release it for the public to comment on during the review period.

Mr. Oliver noted that it is imperative to ensure technical consistency. If Alternative 5B has 30 percent engineering design and others do not, does that potentially compromise the consistency of our analyses?

Ms. Marks replied that the environmental review is the same for each alternative, and it is not common in an EIR to have a 30 percent design available to review; she didn't expect any problems related to that. The main concern regarding the consistency of the analysis, was that once the

analyses had gone through a sifting process that concluded Route 5B was not such a good idea, on what basis are we reconsidering it? We are able to because there is significant new information and a new design--we crossed that threshold that made staff comfortable recommending the Board approve the release of the revised draft.

Mr. Oliver thanked staff for the clarification and echoed the appreciative comments of his colleagues for the hard work to see this through.

Mr. Donnelly asked if the Conservancy would be accepting comments on the entire document or just on the part that has been added or changed. Ms. Marks responded that we will be soliciting comments only on the revisions and additions.

Mr. Donnelly asked whether, as a normal course of business, the Conservancy won't be able to accept comments on the document that was released previously, that was not changed?

Mr. Crow explained, the Conservancy could accept comments on parts that were already circulated, but the CEQA guidelines specifically allow for the agency to circulate a partial revision to the DEIR, and require that the new comments be limited to the new material.

Ms. Marks added that it is intended to limit comments to the new material, but we may end up with some miscellaneous comments that are about the prior draft. The comments on older, unchanged portions will be part of the record, but the way the Conservancy responds to them may be a little bit different.

Mr. Borgeas provided the opportunity for Mr. Hatler (alternate designee for the California Department of Fish and Wildlife) to introduce himself.

Mr. Hatler, Environmental Program Manager for the Department of Fish and Wildlife, started with the department a little over twenty years ago and has been the Program Manager for the San Joaquin River Restoration Program for over the past ten years. He expressed his strong interest in activities on the San Joaquin River and a connection to the partnerships in the room.

Mr. Borgeas asked for public comments to be limited to the issue at hand: for the Board to consider authorizing the release of a partially revised DEIR for the River West, Eaton Trail Extension Project to consider Alternative 5B.

Ms. Sharon Weaver, San Joaquin River and Parkway and Conservation Trust, stated that the bigger picture is about a few people who want to prevent public access on a public road. If people have the right to access the site via the public road, then there is no additional need to have Alternative 5B included in the EIR. There are two existing roads that lead to the site, and they have been fully evaluated. There is also an access point at Alternative 5. The cost estimate for Alternative 5, previously mentioned, was developed in the City's 2015 report completed by Blair, Church and Flynn. The City Manager has now characterized those estimates as wild guesses. She believed the Board's required timeline hasn't been met, because staff needed to bring back the Environmental Analysis before it went for public review, which did not happen.

Ms. Mary Savala, a former member of the Conservancy Board and a former member of the San Joaquin River Parkway Conservancy Trust, asked if County funds contributed to this work, what funds were used and why the County contributed. She also asked why the additional environmental work recommended on page 22 of the schematic design report has not been completed.

Mr. Borgeas noted that members of the Board and staff will address the public's questions after the public comments are received at the meeting.

Mr. Tom Bohigian, former Fresno City Councilman, noted that building City Hall was a contentious issue, but it was eventually built. This is an emotional issue for those in attendance as well. Although he has great respect for professional staff, he questions eliminating Spano park, a small park with great views of the riverbottom, with a roadway going through the park. There is also concern about hundred-year-old Sycamore Trees that endangered species, birds of prey, egrets and other animals use as roosts, and concern about additional costs. If the Board circulates the document and approves the alternative, he predicts the costs will balloon and the City of Fresno will not pay for those costs, construction or maintenance. We need to do a whole lot better.

Mr. Radley Reep, resident at 557 W. Escalon in Clovis, asked if the traffic studies on two additional intersections were going to be included in the revised DEIR. He commented that the Memorandum of Understanding (MOU), the agreement, and the scope of the work have problems, and thinks the Board should specifically discuss these documents. The MOU and the scope of work for this project has a statement in it saying that this Board intends to make a determination as to whether or not alternative 5B is a viable alternative or not. He recommended that the Board should not include that in its motion, simply because the Board can't make a finding that it's viable without first circulating the DEIR. The motion should simply state that the Board authorizes the release of the Partially Revised DEIR.

Mr. Cliff Tutelian, the owner of the entity of the development of Park Place on Palm and Nees, reported that he has submitted comments as the inadequacy of the existing DEIR, and stated his support for releasing the revised draft so that the public process can ensue and the Conservancy can invite comment. The study of the alternative is clearly consistent with City policy as reflected in the 2035 General Plan, which also goes to the balancing of public interest and property rights. He had recently visited the San Antonio River Walk. In order to get to the point where Fresno has such a public asset for its citizens to enjoy, there is a long way to go. This access, coming off of a signalized intersection will not disrupt the park; being an owner in the area he has a very clear record of the vandalism and the way that these areas are being utilized. The alternative will actually enhance the quality of the manner in which that park is used. It will create a grand access which will help promote the spirit of this entire project, and the access road will end in an area that has been designated for parking and thereby create easy use and access by the public. That combined with all of your other considerations, I applaud this positive move in the right direction.

Ms. Kristine Walter, with the San Joaquin River Access Coalition, thanked the Board for allowing the conversation to continue, thanks staff and the consultants for their work. It was heartening that the stakeholders can come together, work, and get a lot done. That should continue to be the spirit. She hoped the negative approaches would stop. She supported staff's recommendation to include Alternative 5B in the EIR and remained optimistic.

Mr. Zach Darrah, Executive Director of Fresno Interdenominational Refugee Ministries, feels that questions remain unanswered. A public road already exists that should be used to access public land, and that should be moved forward. That this is the fastest way and least expensive way to get this project going. Yet the City and Board are considering a project that would literally "move mountains" and cost millions of dollars. The constituencies he represents would like to see this occur as soon as possible and as cheaply as possible. He realizes there are many opinions; the Board needs to make this decision for the whole community.



Ms. Anna Wattenbarger, a long time Parkway supporter from Madera County, expressed concern about the parking lot that is proposed on the landfill. The landowner has not cleaned it up, and the Conservancy and City of Fresno will not take ownership. She could not see any possible way that there can be a parking lot built on that property, and if there is a way she would like to know who is going to pay to have that done. She urged the Board to reject this proposal and get on with the plan with the 5 alternatives, that has already been vetted by the public and is basically ready to vote upon.

Mr. Pete Weber, Fresno resident, wanted to address Mr. Darrah's comments that this project should be open for public benefit as soon as possible. He agrees that this amenity should be developed for all citizens—including seniors, disabled persons, those reliant on public transportation, all walks of life—without delay, and the community has waited too long for it to happen. The City's offer, and the Conservancy's acceptance, to further study alternatives was a good decision and collaboration, is encouraging, and the Conservancy needs to continue in order to see this project through. Ms. Marks noted the strong degree of cooperation associated with the Partially Revised DEIR. Collaboration with the City must continue, including working together to find operations and maintenance to support the project.

Mr. Borgeas closed public comment, and brought the discussion back to the Board.

Mr. Brandau pointed out an aerial photo of Spano Park. He frequently visits the very small greenspace park. If Alternative 5B is eventually chosen, Spano Park will still exist and provide overflow parking in the cul-de-sac along with the parking lot on the river bottom. There would be a road that would take up a fraction of Spano park. The City is dedicated to keeping greenspace; this proposal is not going to eliminate Spano Park. He thanked the Board for supporting his motion at the June meeting for the City and Conservancy to further design and study Alternative 5B. The City of Fresno, along with Blair, Church, and Flynn, AECOM, and Conservancy staff have completed the work they committed to. He noted his appreciation for how well the team worked together. It is the City of Fresno's opinion that Alternative 5B is the best access point for all citizens of Fresno—including Pinedale. This alternative provides the best access to the water. Infrastructure is already in place to access the river from that location. Further, it is very important to have public transportation to these types of facilities, and buses are available to this location. At another park in the City, a beautiful park was developed and it does not have park service. He has listened to all sides of this issue, and still believes this is the best location to access the river. He understands the frustration about how long this project has taken, but this has not delayed this project and the working team has met the timeline. He is going to make the motion to include Alternative 5B in the EIR and in the conversation about the proposed project.

Mr. Borgeas suggested the motion and second should come after further Board discussion.

Mr. Frazier asked if the Board needs to make a finding that Alternative 5B is viable or feasible in order to re-release a portion of the EIR.

Mr. Crow responded that ultimately the question of feasibility will come up when the Final EIR is available and there will be a staff report and a final recommendation to certify the Final EIR, approve the project and make findings to support the Board's decision.

Mr. Donnelly noted that the staff recommendation does not include anything about finding the alternative to be feasible or viable.

Ms. Marks confirmed that the Board is not determining that the alternative is feasible; they are determining that there is enough additional information about this alternative to make it reasonable to release the Partially Revised DEIR.

Mr. Frazier asked staff, if the Board does not approve the release of the Partially Revised DEIR, is there any difference in time for when the Final EIR will be presented to the Board?

Ms. Marks responded in brief, no, the Conservancy would be on the same timeline to complete the Final EIR.

Mr. Frazier stated his belief that the future public ownership of the land for Alternative 5B may be the biggest hurdle in this process as to whether or not it becomes viable or the preferred alternative. In weighing this project or any project, considerations will include costs, but it is not only costs—sometimes added benefits have a price tag. He would like to serve as many people as possible, so public transportation is key, and make the best possible project with as many access options in the studies as possible. He visited the site with his wife, and they concluded this would be a good access. In looking for the greatest good for as many people as possible, he'd rather spend 5 million dollars on something that everyone can get access to, rather than on 2 million dollars on something that a limited number of people can get to, so he supports moving forward with staff's recommendation.

Ms. Lucchesi said that although she was in June a "no" vote on the City's offer to do additional work, based on her experience in State government, when information has been developed it is imperative that the information is released to the public for constructive feedback. She is persuaded in this situation by the Executive Director's commitment to maintain the timeframe, as well as her statements that this will be a stronger document in the revision. The Board will not at this meeting decide the merits of the overall project. The overall consideration of this Board on this project will occur in December, and the ultimate decision will be based on the EIR and many other factors.

Mr. Jensen said that he will support the recommendation, but he likes parts three of the alternatives. He sees possibly three plans to work on step-by-step to get people down to the river. The most important thing that will hold the project up in the end, is that we need some entity to step forward that is going to operate this project. At this point we don't have the money to operate it, and we won't be able to build it until we have the money to operate it. That may be the biggest problem we face.

Ms. Forhan added that the decision the Board was making was to include this option for consideration and to get input from the public. The study is about getting access to the river for the public. At the Board meeting 3 months ago, and again two months ago, we challenged our staff, the City of Fresno, and others to come together to do this. The Board needed to see that the work products could be completed within the timelines and without delay. The team met the challenge to meet the tight timeline, and the decision about the project will be made in December. It is not lost on her, and she can't emphasize enough, that the City of Fresno is an essential and critical partner in this project and in the Conservancy. She is pleased the City is participating as a willing partner, and with many more steps to go to develop the Parkway, this Conservancy does not function without the engagement of its partners. This collaboration with the City is a very critical step that has taken place.

Mr. Borgeas responded to Ms. Savala about County funding: the County is interested in helping partner with the City of Fresno. Since he represents the area involved in this project, and his

colleagues on the Board and as well as the County Administrative Officer realize that they have an important role to play in bringing this project to fulfillment. There is no hidden agenda to stall or undermine this project. I'd rather have solid project brought to fruition in December than to have rushed to judgment with fewer options. He expected the funding would be District-derived; it would not be a large amount and would require approval by the County Board. Mr. Borgeas asked staff to respond to Ms. Savala's second question.

Ms. Marks responded, both Ms. Savala and Ms. Wattenbarger were concerned about the additional environmental review and assessments that would need to occur because of the construction and demolition wastes that are underneath the possible parking lot for Alternative 5B. The need for those studies and the information we know to date will be in the revised DEIR; we would be soliciting comments on those issues once they have reviewed the additional information.

Ms. Marks also responded to Mr. Reep's question regarding two other traffic studies associated with Palm and Nees. The revised DEIR includes traffic studies to determine what the impacts would be for the alternative on traffic, air-quality, green-house gases, etc.

Mr. Borgeas asked if there were no Alternative 5B being studied, would Alternative 5 still require a traffic study as well. Ms. Marks responded that those studies were already in the existing DEIR for each element of the proposed project. This revised DEIR is to look specifically at the effects of Alternative 5B; the reports that were generated by AECOM under this scope of work would be a part of the appendix to the revised draft.

**It was moved by Mr. Brandau and seconded by Mr. Borgeas to approve staff's recommendation for Item G-1. The members unanimously passed the motion as follows:**

**ROLL CALL TO VOTE:**

Name	Yes	No	Abstain
Mr. Andreas Borgeas	X		
Mr. Brett Frazier	X		
Mr. Steve Brandau	X		
Mr. William Oliver	X		
Mr. Carl Janzen	X		
Mr. Gerald Hatler	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Ms. Julie Alvis	X		
Ms. Jennifer Lucchesi	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Mr. Paul Gibson	X		

**H. ADMINISTRATIVE AND COMMITTEE REPORTS**

If time allows, the following oral reports will be provided for informational purposes only, and may be accompanied by written reports in the Board packet. No action of the Board is recommended.

## H-1 Organizations

### H-1a San Joaquin River Parkway and Conservation Trust

### H-1b RiverTree Volunteers

Richard Sloan, River Tree Volunteers, thanked the City of Fresno and the San Joaquin River Conservancy Board for their work. He reported on their next river trips, and noted that they donated canoes and a trailer to the City PARCS program.

Mr. Borgeas asked if the river is safe for boating given the high river flows and downed trees. Mr. Sloan responded that it is safe, provided you have experience or a knowledgeable river guide.

Mr. Sloan reported that RiverTree is continuing their river cleanup and have frequently come across burning fires left from overnight parties or cooking fires. He commented on the high mortality rates of trees that are on the restoration projects on Conservancy property along the river. The weeds at the Riverbottom Park site [owned by the City] are high and a fire danger. There is evidence of homeless, and parties with fires near the Riverbottom Park restoration project. One of the big problems is the volunteer base is being swamped with work and activities. They are continuing work on the San Joaquin River Trail, partnering with the High Sierra Trail Crew, and are working with Provost and Prichard Engineering along the trail along Lake Millerton is continuing.

Mr. Borgeas thank Mr. Sloan and RiverTree for all they do.

Mr. Frazier noted that Mr. Sloan's knowledge of the river, ecology, and conditions was amazing.

Mr. Janzen noted that illegal dumping and trash is a problem for all public agencies. The public is not treating public lands with respect.

## H-2 Deputy Attorney General

None.

## H-3 Executive Officer

Ms. Marks stated that in order to complete the Executive Session by 12:30 p.m. or so, she would forgo her report.

## H-4 Board Members' Reports

None.

## I. EXECUTIVE SESSION

Before convening in closed session, members of the public will be provided the opportunity to comment on Executive Session agenda items.

Mr. Borgeas and Mr. Brandau left the meeting prior to convening in Executive Session. The Board adjourned to a conference room.

## I-1 Government Code Section 54956.8

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: County of Madera  
Madera County (APN 049-085-023)

Negotiating Parties: Eric Fleming, County Administrative Officer

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy  
Daniel Vasquez, Wildlife Conservation Board

Mr. Frazier re-convened the Board in open session.

**Mr. Crow reported out of closed session that the Board approved the staff recommendation to make a purchase offer not to exceed the fair market value of the property.**

**J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS**

None.

**K. NEXT BOARD MEETING DATE**

The next meeting of the Board will be held September 6, 2017, at 10:00 a.m.

**L. ADJOURN**

**Vice-Chairperson Frazier adjourned the meeting at approximately at 12:39 p.m.**

Board meeting notices, agendas, and approved minutes are posted on the Conservancy's website, [www.sjrc.ca.gov](http://www.sjrc.ca.gov). For further information or if you need reasonable accommodation due to a disability, please contact Rebecca Raus at (559) 253-7324 or [Rebecca.Raus@sjrc.ca.gov](mailto:Rebecca.Raus@sjrc.ca.gov).

Respectfully Submitted,

  
Melinda S. Marks, Executive Officer